NOTE TO CHAPTER VII.

The right of an officer in the regular army or navy to resign his commission and take service under the flag of his State, as so many of the officers from the seceding States did, has been very often questioned.

It has been urged against their conduct that they had sworn allegiance to the United States, and that whatever might or might not be permissible for civilians, they, at any rate, were bound in honor to stand by the flag of the United States.

But, when it is recollected that each of these men believed that his State was his country, and that the United States was only a number of separate nations (of which his State had been one) which had united themselves together by a treaty which each one of them had as much right to terminate as any nation has to terminate any treaty, it is plain that he was justified in regarding his obligation to remain in the service of the United States as determinable by the decision of his own State to remain in or withdraw from the Union, If his premises were correct, it was surely not to be expected that the States which chose to remain should retain the entire military and

naval establishments of the Union, or should expect the continuance in their service of citizens of States which had seceded from the Union, and were cany-